

From: Richard Potter
To: Microsoft ATR
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Subject: Microsoft Settlement

I believe the terms of the settlement are short-sighted. For one thing, it creates the impression that Microsoft is above the law. I refer specifically to the apparent perjury (Gates deposition), evidence tampering (doctored demo video), and witness intimidation (myriad companies) which occurred during the trial. Moreover, it is clear that Microsoft was only too willing to flaunt the terms of the earlier restraining order. A slap on the wrist hardly seems appropriate.

Microsoft has consistently acted arrogantly and illegally (as exemplified by the evidence and the verdict), and they can be expected to do so under the proposed terms. Economic theory and practice inform us as to what can be expected from a monopolist, and the case of Microsoft is classic confirmation. The consumer has been burdened by sub-standard, unstable, overpriced Microsoft products for years. Because there is no effective competition, they are under no real pressure to perform and, in fact, they have exploited the situation. Imagine the consequences if the AT&T monopoly hadn't been broken up: today we would have perhaps a half dozen models of telephone available to the consumer, no cell phones, stunted use and development of fax technology, sky-high long distance rates, and no Internet. You can rely upon the fact that Microsoft's domination has resulted in similarly constrained technologies and opportunities in the computer marketplace.

The most frightening thing, however, is the ability their unfettered operating system monopoly confers for creeping into and taking over other markets (multimedia, servers, music downloads, Web browsing, e-mail, office productivity). We now have the X-Box creeping into the living room along with Microsoft's digital recording service for TV. And, then, there is Microsoft's Passport security, the ultimate intrusion and stranglehold. Where does it all end?

Your proposed settlement reeks of a politically motivated whitewash. Microsoft's money and lobbyists have apparently had their way. The fullness of time will undoubtedly show what a blunder this is and how poorly the citizenry of America has been served.

Richard C. Potter
117 Heritage Drive C-2
Stevensville, MT 59870